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December 22, 2024

VIA ECF

The Honorable Jose R. Almonte, U.S. Magistrate Judge
District of New Jersey
Frank R. Lautenberg U.S. Post Office & Courthouse Building
2 Federal Square
Newark, NJ 07102

Re: *Christopher Oddo, et al. v. T-Mobile USA, Inc.*, Civil Action No. 2:24-cv-07719 (MEF) (JRA)

Dear Judge Almonte:

Defendant T-Mobile USA, Inc. ("T-Mobile") respectfully requests an adjournment of (1) the January 6, 2025, Initial Scheduling Conference, and (2) the deadlines related to the parties' submission of a Joint Discovery Plan, identified in Your Honor's Rule 16.1 letter. ECF 19. T-Mobile requests an adjournment of the Initial Scheduling Conference and Joint Discovery Plan deadlines until its Motion to Dismiss for Lack of Personal Jurisdiction and Motion to Compel Arbitration ("T-Mobile's Motion") has been resolved. The resolution of T-Mobile's Motion will address the critical threshold issue of whether this Court has personal jurisdiction over T-Mobile with respect to the above-captioned dispute.

By way of background, T-Mobile's Motion was filed on September 6, 2024. ECF 11. Because T-Mobile's Motion moved to dismiss for lack of personal jurisdiction and, alternatively, moved to compel arbitration, Judge Farbiarz denied the motion to compel arbitration without prejudice pending the resolution of the motion to dismiss for lack of personal jurisdiction on September 12, 2024. ECF 14. Plaintiffs filed their Brief in Opposition to Defendants' Motion to Dismiss for Lack of Personal Jurisdiction on November 4, 2024. ECF 22. T-Mobile filed its Reply in Support of its Motion to Dismiss for Lack of Personal Jurisdiction on November 21, 2024. ECF 28. Accordingly, T-Mobile's challenges to jurisdiction remain at issue and ought to be decided prior to any consideration of pretrial proceedings or discovery.

We respectfully request that any conference to address case management or obligation to submit a Joint Discovery Plan be adjourned until after Judge Farbiarz resolves the threshold motions, at which point, it will become clear whether this action will proceed before this Court, be dismissed, or be compelled to arbitration. Counsel for T-Mobile conferred with counsel for Plaintiffs, and Plaintiffs oppose adjourning the Initial Scheduling Conference and Joint Discovery Plan deadline pending resolution of T-Mobile's Motion.

Respectfully submitted,

Reade W. Seligmann

cc: All counsel of record (via ECF)